

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

ALLIANCE CONSULTING, LLC, a Utah
corporation,

Plaintiff,

vs.

SAINSBURY CONSTRUCTION CO.,
INC., FDIC, as receiver for Barnes Bank,
et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING FDIC'S
MOTION FOR LEAVE TO AMEND
ANSWER AND DENYING MOTION
THAT SERVICE BE DEEMED

Case No. 2:10-CV-418 TS

The FDIC moves for (1) leave to file an amended answer asserting the special affirmative defenses available to the FDIC as receiver; (2) to have the proposed amended answer attached to the Motion be deemed as the filed answer; and (3) an order that service of the amended answer on the parties be deemed to not be required. No party has filed an opposition. Being fully advised, it is

ORDERED that the FDIC's Motion for Leave to Amend Answer (Docket No. 18) is GRANTED insofar as the FDIC is granted leave to amend its answer. It is further

ORDERED that the FDIC's Motion is DENIED insofar as it sought to have the proposed amended answer attached to the Motion be deemed as the filed answer. It is further


ORDERED that the FDIC shall file its amended answer within 14 days of the entry of this order. It is further

ORDERED that the FDIC's Motion is DENIED insofar as it sought an order that service of the amended answer on the parties be deemed to not be required. It is further

ORDERED that the rules of service in the Federal Rules of Civil Procedures are not waived as to the FDIC's amended answer.

DATED August 25, 2011.

BY THE COURT:



TED STEWART
United States District Judge